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Letter dated 3 July 2008 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council

On behalf of the States members of the Organization of the Islamic Conference, I am writing to draw the Council's attention and to convey our utmost concern over the grave situation prevailing in the Occupied Palestinian Territory including East Jerusalem. The already deteriorated situation is being further aggravated by Israel's illegal actions and plans to continue with the expansion of settlements in direct contravention of international law and its commitments under the road map.

Israel has failed to abide by its commitment to freeze all settlement activity including "natural growth" and to dismantle settlement outposts erected since March 2001. On the contrary, in blatant defiance of calls from the international community, Israel continues unabated its settlement activity throughout the West Bank, particularly in and around East Jerusalem. It is a matter of great concern that since the Annapolis Conference, Israel has issued tenders for approximately 17,000 new housing units in illegal Israeli settlements across the occupied West Bank, including in occupied East Jerusalem. Israel also recently announced to issue over 880 new tenders in two illegal settlements, including that constructed on Jabal Abu Ghneim in occupied East Jerusalem.

Israel's policy of encouraging, financing, establishing and expanding settlements in the Occupied Palestinian Territory violates two main principles of international humanitarian law: the prohibition on the transfer of civilians from an occupying Power's territory to the occupied territory, and the prohibition of creating permanent changes in the occupied territory that are not for the benefit of the occupied population. In particular, article 49(6) of the Fourth Geneva Convention states: "the Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies".

The seizure and appropriations of land for Israeli settlements, bypass roads and related infrastructure and discriminatory access to other vital resources, including water, have had a devastating impact on the fundamental rights of the local Palestinian population, including their rights to an adequate standard of living, housing, health, education and work, and freedom of movement within the occupied territories.

The international community has long recognized the unlawfulness of the Israeli settlements in the occupied territories. Security Council resolution 465

(1980) called upon Israel "to dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem".

The eleventh Summit of the Organization of the Islamic Conference, held in Dakar on 13 and 14 March 2008, reaffirmed the central character of the cause of Al-Quds Al-Sharif for the whole Muslim Ummah. The Conference reiterated its strong condemnation of Israel, the occupying Power, for its persistent aggression against Islamic holy places in and around Al-Quds Al-Sharif. The Conference also denounced Israel for its illegal excavations beneath Al-Haram Al-Sharif and Al-Aqsa Mosque, and for all such illegal and provocative measures carried out by it with the intention of altering the Holy City's legal status and demographic composition and character.

The expansionist designs of Israel are intended to destroy the territorial contiguity, integrity and unity of the Occupied Palestinian Territory and are aimed at changing the demographic composition of the region. The illegal settlement expansion and the continuing construction of the separation wall, whose unlawful and illegal character has been confirmed by the 2004 advisory opinion of the International Court of Justice, reveal the true Israeli intentions of eventually annexing the territories in question.

At this critical juncture, Israel's unabashed violations of international humanitarian law and non-fulfilment of its commitments under the road map and the Annapolis Conference could jeopardize the current peace process and further destabilize the already fragile situation.

The member States of the Organization of the Islamic Conference strongly urge the Security Council in fulfilment of its Charter responsibilities, to take immediate steps necessary to address this critical situation, particularly by compelling Israel to respect its obligations under international law, international humanitarian law, relevant resolutions of the Security Council and the provisions of the road map, particularly with regard to the settlement activity.

The Security Council must also play its due role for achieving a just, lasting and comprehensive settlement of the question of Palestine in accordance with international legitimacy and its own resolutions.

The Organization of the Islamic Conference reaffirms its support for the establishment of a sovereign, independent and viable State of Palestine on the basis of the pre-1967 borders with Al-Quds Al-Sharif as its capital.

I shall be grateful if you could circulate this letter as a document of the Security Council.

(*Signed*) Munir **Akram**
Ambassador and Permanent Representative